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# When a Little Goes a Long Way: Tracking the Historic Preservation Fund & Its Impact on the Field of Historic Preservation

## **Abstract**

The Historic Preservation Fund (HPF) is a federal grant-in-aid program stemming from the National Historic Preservation Act of 1966. It is authorized at \$150 million annually with funds deposited from Outer Continental Shelf oil lease revenues. The fund is reauthorized by Congress periodically with apportionment mandated by the National Park Service under the direction of the Secretary of the Interior. Despite being authorized for \$150 million, the fund has never been fully appropriated with lows of \$25-\$26 million and highs reaching close to \$90 million. Research for this impact assessment required scouring newspaper archives within the historic preservation field like *Preservation News*, as well as those outside the field. Conversations with preservationists also aided in the impact assessment and the answer to the question came down to the famous quote: "You don't know what you got til it's gone". Stringent appropriations and the threat of elimination of the HPF in the 1980s caused a wave of advocacy on behalf of the re-authorization of the HPF.

Research and analysis of appropriation history and uses of the funds allocated showed that although the HPF occupied a minuscule portion of the federal budget and has been historically branded as being underfunded, a little does go a long way and we can only hope that the future generations of preservationists that are being molded by programs supported by the fund will adopt the same attitude as those preservationists and Congressmen and women that fought so hard to keep it in the past.

## **Keywords**

Historic Preservation Fund, National Historic Preservation Act of 1966, National Park Service, Federal Grants, federal-state partnership

## **Disciplines**

Historic Preservation and Conservation

## **Comments**

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WHEN A LITTLE GOES A LONG WAY: TRACKING THE HISTORIC  
PRESERVATION FUND AND ITS IMPACT ON THE FIELD OF HISTORIC  
PRESERVATION

Tarsha Sydney Wilson

A THESIS

in

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## **Abbreviations**

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**AASLH-** AMERICAN ASSOCIATION FOR STATE & LOCAL HISTORY

**ACHP-** ADVISORY COUNCIL ON HISTORIC PRESERVATION

**CARA-** CONSERVATION AND REINVESTMENT ACT

**CARF-** CONSERVATION AND REINVESTMENT FUND

**CLG-** CERTIFIED LOCAL GOVERNMENT(S)

**HCRS-** HERITAGE CONSERVATION AND RECREATION SERVICE

**HPF-** HISTORIC PRESERVATION FUND

**HPRC-** HISTORIC PRESERVATION REVIEW COMMISSION

**HTC-** HISTORIC REHABILITATION TAX CREDIT

**IMS-** INSTITUTE OF MUSEUM STUDIES

**IMLS-** INSTITUTE OF MUSEUM AND LIBRARY SERVICES

**ISTEA-** THE INTERMODAL SURFACE TRANSPORTATION EFFICIENCY ACT

**NCSHPO-** NATIONAL CONFERENCE OF STATE HISTORIC PRESERVATION OFFICERS

**NEA-** NATIONAL ENDOWMENT FOR THE ARTS

**NEH-** NATIONAL ENDOWMENT FOR THE HUMANITIES

**NHPA-** NATIONAL HISTORIC PRESERVATION ACT

**NHPGM-** NATIONAL HISTORIC PRESERVATION GRANT MANUAL

**NPS-** NATIONAL PARK SERVICE

**NRHP-** NATIONAL REGISTER OF HISTORIC PLACES

**NTHP-** NATIONAL TRUST FOR HISTORIC PRESERVATION

**SAT-** SAVE AMERICA'S TREASURES

**SHPO-** STATE HISTORIC PRESERVATION OFFICER

**TEA-21-** TRANSPORTATION EFFICIENCY ACT OF THE 21<sup>ST</sup> CENTURY

**THPO-** TRIBAL HISTORIC PRESERVATION OFFICER

## **i. | Research Question & Project Scope**

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Over the past two years I have learned a lot through the coursework and hands-on experience of the Historic Preservation Program at the University of Pennsylvania's Penn Design. One major component that was prevalent and always in question was funding. We learn ways to preserve historic sites and revitalize communities using various preservation tools and technologies but how does it *actually* get done? Where does the money come from? How much? Who gets a piece of the pie? And who decides how much? The fund originated from the National Historic Preservation Act of 1966 and was an essential part of it. Fifty years later and it is time that we ask ourselves if the Historic Preservation Fund has served its intended purpose and if it continues to operate with the standards set forth in the Act. If not, we should then begin to assess what can be done to get it back on track and employed as widely as possible so that the impact it generates will have the greatest effect. This report is in no way a complete history of the fund, its uses, reauthorizations and the threats it has faced over time. However, by looking closely at the difference in the grant awards among States, Certified Local Governments (CLGs), and Tribes, this report reveals apportionment patterns at the National, regional, and local levels. The inclusion of CLGs and Tribes as eligible recipients of funds as well as the establishment of a grant for underrepresented communities shows federal recognition of all echelons of American society and that they all deserve a piece of the pie. Does a little go a long way? And what impact has the Historic Preservation Fund had on the field of Historic Preservation as a whole? By



examining the innerworkings of the federal Historic Preservation Fund, I hope to answer these questions within a delimited context.

## **ii. | Introduction**

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In order for preservation to occur successfully, there have to be three things in place. Those things are the tangible evidence of our history that we want to preserve, those that are willing to take on the preservation work, and funding to make it all possible. Before the Historic Preservation Fund was established, it was determined that there was a need for a federal program to advance and professionalize the federal historic preservation program in the United States. In 1965 it was President Lyndon B. Johnson that expressed the need for federal historic preservation legislation. Following this expression, a panel was constructed of members of Congress and other government officials that traveled to European countries to see how their national historic preservation program was run legislatively with the goal of implementing their policies and practices in the context of American heritage. This committee was known as the Rains Committee and following their tour, they made recommendations on what the federal program in the United States would entail. The recommendations made were published in the Rains Report<sup>1</sup> entitled

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<sup>1</sup> The Rains report reviews past World War II legislation for Great Britain, France, the Netherlands, Germany, Poland, Czechoslovakia, Sweden, and Italy. Because of the grave problems of war damaged monuments in Europe, as well as the impact of post-war construction, new legislation and organization have been found necessary in most European countries, further strengthening what is usually an independent bureau or commission for historic preservation. It appears to your Committee that there are equally valid grounds for strengthened preservation organization in the United States.” (*Report of Special Committee on Historic Preservation* 10)

*With Heritage So Rich* (1966). The report calls for a federal preservation program that incorporated an “expansive inventory of properties reflecting the full range of the national heritage, a mechanism to protect those properties from unnecessary harm caused by the activities of federal agencies, a financial incentives program that utilizes both grants and tax incentives to encourage the preservation of non-federally owned historic properties, and an independent federal preservation body responsible for coordinating federal agencies’ actions that could affect historic properties.”<sup>2</sup>

Lobbying by the Rains Committee, George B. Hartzog, Jr. (Director of the National Park Service), and Gordon Gray (Chairman of the National Trust for Historic Preservation) led to Congress passing the National Historic Preservation Act (NHPA), hereafter also referred to as “the Act”, in October of 1966<sup>3</sup>. The National Historic Preservation Act of 1966 achieved all of the goals set forth in *With Heritage So Rich* with the creation of the National Register of Historic Places (NRHP) to serve as an inventory of the nation’s heritage resources and landmarks<sup>4</sup>. Section 106 of the act established review processes to manage adverse effects of federal actions on historic properties and Section 110 outlined stewardship requirements for federal agencies owning or in control of historic properties. The act also established the Historic Preservation Fund (HPF), the Federal Historic Rehabilitation Tax Credit

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<sup>2</sup> Robert E. Stipe, *A Richer Heritage: Historic Preservation in the Twenty-First Century*, (North Carolina: Chapel Hill, 2003), 35.

<sup>3</sup> James A. Glass, “Fifty Years of the National Historic Preservation Act,” *History News* 69 No. 2 (2014): 14.

<sup>4</sup> The National Register of Historic Places was an expansion of the National Landmarks Program that was already in place, giving the President of the United States the power to identify and designate national monuments.

(HTC), and The Advisory Council on Historic Preservation (ACHP). It was signed into law October 15, 1966 by President Lyndon B. Johnson and, in addition to its federal provisions, established the State Historic Preservation Officer Program that would play an instrumental role in the management of apportioned<sup>5</sup> funds allocated from the Historic Preservation Fund.

The NHPA originated during the tail end of the Urban Renewal era in the United States. Prior to the 1960s, the federal historic preservation program enjoyed victories such as the establishment of the National Trust for Historic Preservation (NTHP) in 1949, the creation of Georgetown, a historic district in Washington, DC, and a Depression-era survey of historically and architecturally significant structures<sup>6</sup>. As late as the 1960s, developers were receiving tax deductions as incentives for demolishing old structures, thus encouraging demolition over rehabilitation and disincentivizing historic preservation. This was also a time when preservation practices and technologies were focused primarily on sites and monuments of national significance versus those with only state or local significance<sup>7</sup>. The Tax Reform Act of 1976, established at the same time as amendments to the NHPA

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<sup>5</sup> Apportionment: 1) A distribution by OMB [Office of Management & Budget] to individual Federal agencies of amounts appropriated by Congress. The distribution is for specific time periods, activities, functions, programs, projects, or combinations thereof. 2) The distribution of Historic Preservation Fund monies made annually by the Secretary of the Interior to eligible grantees. Appropriation: The amount of funds (obligational authority) Congress makes available annually from the Historic Preservation Fund for purposes of the Act. (HPFGM 381)

<sup>6</sup> Carol M. Rose, "Preservation and Community- New Directions in the Law of Historic Preservation", (Master's thesis, Yale Law School, 1981), 3.

<sup>7</sup> Charles E. Fisher, "Promoting the Preservation of Heritage Buildings: Historic Preservation Policy in the United States." *APT Bulletin: The Journal of Preservation Technology* 29 No.3, (1998): 7, <https://doi.org/10.2307/1504604>.

establishing the HPF, was enacted after it was determined that current legislation was lacking when it came to the protection of existing neighborhoods and structures. “The Act stated that developers could no longer consider the cost of demolition of historically certified structures as a deductible business expense; previously, developers were essentially reimbursed for demolition.”<sup>8</sup>

Before the acknowledgement that a federal fund exclusively for historic preservation was needed, state and local preservation organizations turned to other supplemental grants to implement preservation practices. These programs were available in concentrated areas that intersected with preservation. Funds from the Secretary of the Interior included The Land & Water Conservation Fund, The National Endowment for the Arts, and The Bureau of Land Management. The U.S. Department of Commerce offers funds from the Economic Development Administration<sup>9</sup> and the U.S. Department of Housing and Urban Development offers Community Categorical and Block Grants<sup>10</sup> and a Low-Income Tax Credit. The National Endowment for the Arts & Humanities is a one of the prime examples.

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<sup>8</sup> Norman Tyler, Ted J. Ligibel, and Ilene R. Tyler. *Historic Preservation: An Introduction to Its History, Principles, and Practices*, (New York: W.W. Norton & Company, Inc, 2009), 249.

<sup>9</sup> Land and Water Conservation Fund: A NPS Program that is not limited to only historic properties. It was primarily a natural resource program that had benefits related to the field of Historic Preservation. The Bureau of Land Management: Challenge Cost Share Funds provide matching funds to local communities for projects on or adjacent to BLM lands. Economic Development Administration: Provides funds for technical assistance, planning, and development of projects that create new employment. This may include projects using historic resources. (Tyler 245-46)

<sup>10</sup> Make millions of dollars available for housing, infrastructure improvements, and economic development. Projects associated with historic properties typically must be received by the SHPO. (Tyler 246) The CDBG program originated in 1974 as a successor to many categorical grant programs. As the focus of urban development shifted away from clearance to conservation and reuse, the use of these funds proved highly compatible with local preservation goals. (Stipe 63)

The endowment was established by the National Foundation for the Arts and Humanities Act of 1965 and funds therein were dedicated to research, education, preservation and public programs in the humanities. This Act was created under the Lyndon B. Johnson Presidency and he was known to be the founder of the endowment.

Supplemental federal funding was needed even after the establishment of the HPF and the largest sources of those federal funds were the Intermodal Surface Transportation Efficiency Act of 1991 and its 1998 successor, the Transportation Efficiency Act for the Twenty-First Century. The Intermodal Surface Transportation Efficiency Act (ISTEA) authorized the expenditure of \$150 billion on transportation projects over a 6-year period. At this time, authorized funds were at \$2.6 billion and access to these funds was limited to specific categories that traversed transportation; one of them was historic preservation. Historic preservation projects receiving these funds included acquisition of historic properties, preservation easements, historic highway preservation, landscape and street furniture improvements, and historic structures and buildings housing transportation uses like train and railway stations<sup>11</sup>. The Transportation Efficiency Act for the Twenty-First Century, or TEA-21, was a continuation as well as an expansion of the enhancement program of ISTEA. TEA-21 raised the enhancement amount from \$2.6 billion to \$3.6 billion and added two more categories that directly relate to historic preservation. These were visitor's centers for scenic and historic sites to preserve the environmental, scenic and historic

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<sup>11</sup> Stipe, 64.

values of the site and transportation museums. Like the HPF, these “enhancement funds” are managed at the state level. As Richard Hampton Jenrette<sup>12</sup> observes:

Decisions regarding the use of enhancement funds were left in the hands of state transportation departments... nevertheless, an exceptional amount of money found its way into activities that could be fairly called historic preservation. These included bricks and mortar projects as well as important preservation planning products, such as compilation of a historic bridge survey and development of a statewide geographic information system or GIS (Stipe 65).

Federal grants for rehabilitation were prohibited until 1989 but the low level of funds discouraged many states from taking advantage of the removal of the restriction. “In 1996, the president of the National Conference of State Historic Preservation Officers observed that it was an odd turn of events when the states could use federal funds to identify historic properties and not to preserve them.”<sup>13</sup> The inclusion of alternative federal funding sources like the Historic Rehabilitation Tax Credit and an eventual goal to decentralize the federal historic program had a direct impact on appropriations from the Historic Preservation Fund; an impact that will be discussed further in Section 3.

## **Section 1 | What is the Historic Preservation Fund? A Brief History of the Fund and its Appropriations**

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On September 28, 1976, in an amendment to the NHPA, the Historic Preservation Fund was established. It is a fund used to rescue, rehabilitate or revitalize historic sites, buildings, structures and communities while creating opportunities for economic growth through the preservation of our historic

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<sup>12</sup> Richard Hampton Jenrette Series in Architecture and the Decorative Arts. A Richer Heritage is edited by Robert E. Stipe.

<sup>13</sup> Ibid, 94.

structures, sites and objects. At the HPF's inception, there were two general categories of assistance grants for the development of historic properties and those for survey and planning. Development grants were designed to support bricks- and – mortar projects and survey and planning grants were developed to underwrite the costs of developing state preservation plans and nominations to the National Register of Historic Places (NRHP).

Tax monies were not utilized but instead the annual authorization of \$150 million comes from offshore oil lease revenues through Outer Continental Shelf. The idea is that the use of non-renewable resources is counterbalanced by the benefits of preserving our country's non-renewable resources. Although the fund is authorized and reauthorized at \$150 million, that amount has yet to be fully apportioned to grantees<sup>14</sup> of the grants. Eligible applicants for grant funding are (1) States, as defined in the Act, operating approved National Park Service- approved programs; (2) Indian Tribes and Native Hawaiian organizations; (3) the National Trust for Historic Preservation; and (4) Certified Local Governments. Other entities such as nonfederal government units, private organizations, corporations, and individuals are able to file applications for grant money as sub grantees of the States and/or National Trust.<sup>15</sup> Procedures for obtaining funds as a sub-grantee is established by the grantee/applicant the funds are funneled through.

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<sup>14</sup> The term "grantee" will always refer to State Historic Preservation Officers and the National Trust for Historic Preservation.

<sup>15</sup> The National Park Service, *National Historic Preservation Grant Manual*, last modified 2007, [https://www.nps.gov/preservation-grants/hpf\\_manual.pdf](https://www.nps.gov/preservation-grants/hpf_manual.pdf) 11-12.

In the beginning, the HPF was small and ineffective. In fact, federal funds did not become available until July of 1968 and were in such small amounts that many states were discouraged from utilizing the new program. It was William Alderson, Director of the American Association for State and Local History (AASLH) that made sure the heads of state historic offices knew about the Act after its passing. He encouraged them to register as “State Liaison Officers”, later termed State Historic Preservation Officers (SHPO), to carry out the programs of the Act in their state and qualify for federal funds to aid in their preservation efforts and in 1976 all fifty states and five United States territories were competing for uses of the funds. In the Spring 2014 edition *History News*, author James Glass states that: “the SHPOs were interested, but held aloof until 1969 when grants to the states finally began to flow in meaningful amounts.”<sup>16</sup> A year earlier under the Jimmy Carter Administration, Secretary of the Interior Cecil Andrus created the Heritage Conservation and Recreation Service with Chris Delaporte<sup>17</sup> as the Director. In this new position, Delaporte sought to improve the efficiency of the federal preservation program linking the federal government and the states and in turn, took on the responsibility of making the decisions that apportioned money to the states through the HPF.

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<sup>16</sup> Glass, “Fifty Years,” 15.

<sup>17</sup> “Delaporte was a graduate of Oklahoma State University with a bachelor's degree in political science, a former captain in the air force, and a veteran of several years' administrative experience in the state governments of Georgia and Oklahoma. He began working in Georgia during the administration of Lester Maddox. When Jimmy Carter defeated Maddox in 1970, he retained Delaporte, who not only got to know Carter personally but also became involved with Carter's Georgia Heritage Trust, which subsequently provided the inspiration for the HCRS.” (Scarpino 58)



In 1980, the newly established service published multiple drafts of the Historic Preservation Fund Work Program's directives on receiving money from the HPF causing delays that further frustrated the states as many had already awarded subgrants. Changes to the selection process for sub granting had been altered after updates were made and the response from the states included a wave of angry letters to the HCRS vocalizing their discontent for the last-minute changes. Republican Paul Cross, Deputy State Historic Preservation Officer of Tennessee, wrote in his letter, "these last-minute changes in instructions offered proof of a partnership based on the golden rule, i.e., 'he who has the gold, makes the rules'." <sup>18</sup> It was no secret that the new fund and its supporting legislation were off to a rough start and preservation organizations and entities were very vocal regarding their opinions on the matter.

This attitude began to shift with the first amendment to the Act that served as an attempt to address the administrative issues that stemmed from low levels of funds at the programs start. The intent was also to strengthen the position of SHPOs as the Act entered the new century with State Historic Preservation Officers growing more and more frustrated about the availability of funds and fulfilling the duties outlined in the Act. Through the National Conference of State Historic Preservation Officers (NCSHPO), SHPOs initiated these amendments to not only confirm their role as the back bone of the new federal historic preservation program, but also to

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<sup>18</sup> Philip V. Scarpino, "Planning for Preservation: A Look at the Federal-State Historic Preservation Program, 1966-1986," *The Public Historian* 14 No. 2 (1992): 59, <https://doi.org/10.2307/3378268>.

emphasize that it was time to share responsibility with local governments. The 1980 Amendments to the Act expanded the range of eligible activities from the two categories defined at the Acts origination to included administrative uses like routine office and program management, certification of local governments, evaluating and nominating properties to the NRHP, drafting of statewide and regional preservation plans, certifying properties/projects for federal tax incentives, SHPO participation in the Section 106 process, and field surveys to identify and document historic properties.

In his report, *Funding the Architectural Heritage*, Robert Pickard declares that it is important for heritage funding to be directed in a way that benefits society as a whole. That it should not solely support structures and assets of the nation that are of the greatest importance, but should be more inclusive and involve those that are endangered as well<sup>19</sup>. Funds were low and the demand was high and although bricks and mortar projects were the most visible use of the HPF, the projects were focused on the improvement of large historic institutional structures and eventually commercial structures but the overall limited availability of funds prevented the new program from having the widespread impact it was intended to have and in turn left thousands of historic buildings in a state of disrepair. Despite the fact that alone bricks and mortar projects did not appear to have a long-term impact on the national program, minor sums of money used for such projects were combined with other

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<sup>19</sup> Robert Pickard, *Funding the Architectural Heritage: A Guide to Policies and Examples*. (France: Council of Europe Publishing: 2009), 13.

funding sources like those mentioned previously in order to successfully implement the projects.

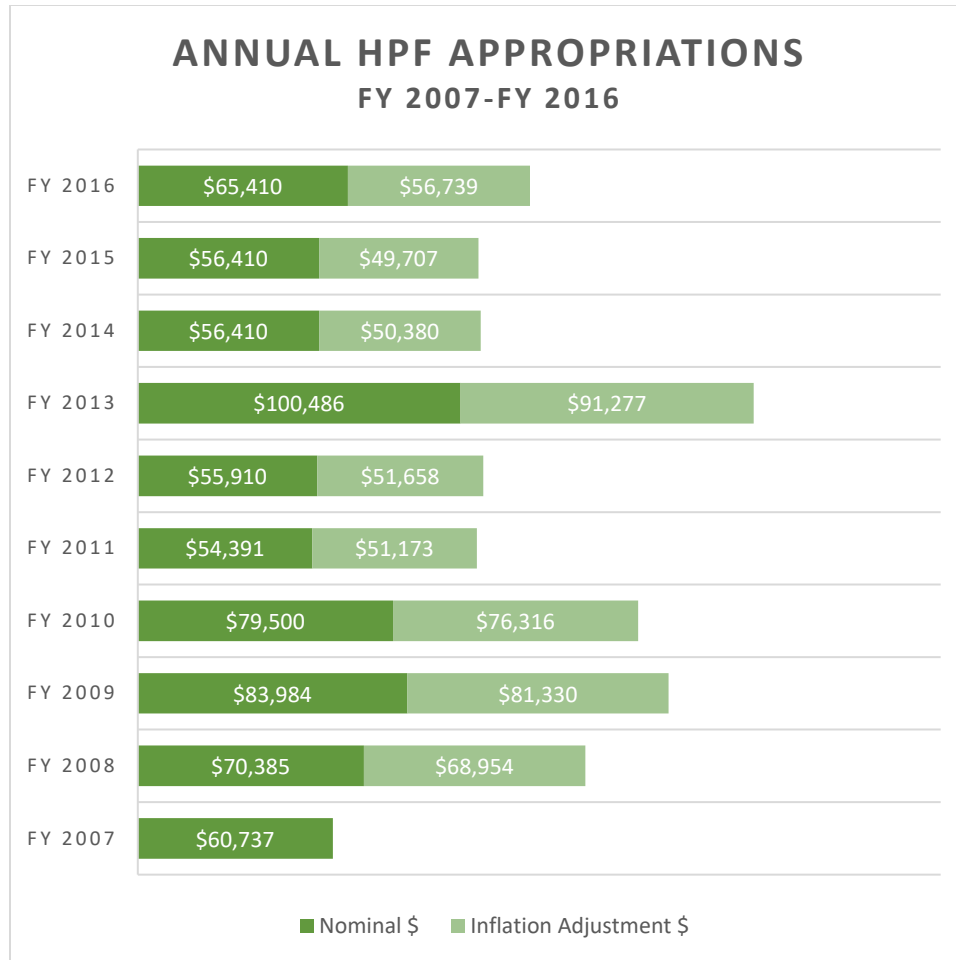
Prior to the past twenty years, with the exception of 1979 and 1980, the annual appropriation amount rarely exceeded \$50 million with a high of around \$60 million. The first ten years of the program saw annual appropriations hovering around \$5-\$6 million and after the high appropriation of 1980, the annual amount leveled out around \$25-\$26 million and a high of around \$81 million in 1998.

Appropriations for the HPF account varied during the decade and grew overall in nominal dollars... Adjusted for inflation, however, the appropriation declined by 6.6%...The account represented 2.6% of the total NPS appropriation in FY2007 and 2.3% in FY2016. HPF appropriations were highest in FY2013, as a result of the supplemental appropriation in response to Hurricane Sandy, which added \$47.5 million (after sequestration) to the account's regular FY2013 appropriation of \$53.0 million<sup>20</sup>. **(Figure 1)**

The reason for the increase in appropriations, in addition to increased apportionments for disaster relief, was a \$35 million allocation to Saving America's Treasures (SAT) program and additional funding for Historically Black Colleges and Universities and small increases were made for State and Tribal Historic Preservation Officers. Funding for Save America's Treasures was eliminated in 2011, but \$5 million was provided to the program in 2017.

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<sup>20</sup> Laura B. Comay, "National Park Service: FY2017 Appropriations and Ten-Year Trends", *Congressional Research Service*, (March 2017):12.



**Figure 1: Annual Appropriation Amounts for the HPF Account, FY 2007-2016.**  
Data from NPS Annual Budget Report

Aside from funds distributed to State and Tribal Officers, \$500,000 of the annual authorization amount has been used to “diversify” buildings, sites and objects nominated to the NRHP. Example grants aimed at said diversification include Tribal Heritage Grants (previously Tribal Project Grants), African American Civil Rights Grants, Disaster Recovery Grants, Underrepresented Community Grants, Save America’s Treasures (SAT), Japanese American Confinement Sites Grants, and

grants for Historically Black Colleges and Universities (HBCUs)<sup>21</sup>. This recent tendency of “earmarking” HPF grants for programs with a narrow focus has been a concern to many with special mention of HBCU grant allocation which receives approximately 1/5<sup>th</sup> of the annual appropriation amount. The explanation of this judgement is that these dollars should be funneled through the standard grant allocation process with decisions made at the state level due to the fact that these are funds that would otherwise be more evenly spread throughout the federal program. In short, despite the fact that the regulators of the HPF wanted to diversify the NRHP, it was the opinion that they were going about it in the wrong way. Funding for Historically Black Colleges and Universities, for example, could be substituted with an increase in allocation for states that have a significant number of HBCUs and that would lessen the blow of allocating 1/5<sup>th</sup> of the appropriations and curb the earmarking that is viewed as a shortcoming of the fund.

The decade that passed between 2007 and 2016 included declines in funding for other NPS accounts. Of these, was the Save America’s Treasures (SAT) Program, funding for which was eliminated in 2011. Save America’s Treasures was created as a sub program of the Historic Preservation Fund that was managed by the National Park Service and the President’s Committee on Arts and Humanities. It was enabled in partnership with the National Trust for Historic Preservation and three federal cultural agencies: The National Endowment for the Arts (NEA), The National

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<sup>21</sup> NPS, “State, Tribal, and Local Plans and Grants.”, accessed November 29, 2017, <https://www.nps.gov/orgs/1623/index.htm>

Endowment for the Humanities (NEH), and the Institute of Museum and Library Services (IMLS)<sup>22</sup>. The HPF funded grants to HBCUs until 2007, when they were advised to apply for SAT grants. The National Park Service requested that grants for HBCUs be restored in 2017. The NHPA also includes language authorizing a 10% cut of the annual authorization amount to be awarded to a program of the Secretary of the Interior to preserve threatened National Historic Landmarks and World Heritage properties; a program of direct grants that has been used very little. A third category of assistance grants was established to provide assistance to the National Trust for Historic Preservation but this was a provision that was later phased out and then terminated in 1998. Legislation had been passed in 2000 allowing the NTHP to seek grants from the HPF for specific preservation activities but not for general administrative activities. “This amendment reintroduces the original concept of the Trust, serving as an alternative means of using federal dollars for preservation purposes.”<sup>23</sup> In 1992 Indian tribes were authorized to participate in the federal program qualifying them to receive grants from the HPF. In 2006, they were appropriated \$5.6 million and as the number of tribal participants in the program increased, it was expected that their share of the HPF would also increase.

The application to appropriation process is to be explained in later sections of this report but it is important to note that after allocation of funds, the states do not have free range to do what they wish with the money. The National Park Service, as

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<sup>22</sup> Sarah S. Brophy, “Saving America’s Treasures: It’s About Perpetuity and Demonstrating Our Successes.” *History News* 65, No. 3, (2010): 9.

<sup>23</sup> Stipe, *A Richer Heritage*, 58.

the administrator of the HPF, is required to conduct periodic program reviews in order to ensure that each program receiving money from the HPF is conforming to the requirements of permitted uses of the HPF grant. This ensures a certain degree of professionalism is present when carrying out preservation work and thus creates standards of uniformity with all participants. Granted, some states receive more funds than others, details that will be explained in the next chapter, and at the local level some states have only two Certified Local Government entities while others have hundreds, uniformity and professionalism are two major themes of establishing the federal Historic Preservation Program.

## **Section 2 | Inclusion of Certified Local Governments and Tribal Historic Preservation Officers**

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To some, local governments are seen as the most important drivers of preservation work due to their proximity to those affected by local preservation practices but they do not work independently. The regulatory authority of local governments is a delegated state power. In the book, *A Richer Heritage* a claim is made that the true beginnings of preservation at the local level can be found in local government ordinances passed between 1931 and 1950. This is in direct opposition to the amendments to the NHPA that certified the inclusion of local governments in the federal historic preservation program. The book also mentions that the Act and other legislative initiatives of the 89<sup>th</sup> Congress virtually “locked local governments into a more active role in historic preservation’ by tying local historic resources to federal funding... this was the real significance of the 1966 act.<sup>24</sup>”. The 1980

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<sup>24</sup> Stipe, *A Richer Heritage*, 118-19

amendments to the Act aimed to decentralize federal programs related to historic preservation by placing responsibilities that were previously federal, like programmatic decision making and National Register nominations, on local governments instead. One result of this decentralization was the establishment of The Certified Local Government (CLG) Program.

The purpose of the CLG program as demarcated in the Historic Preservation Fund Grant Manual is ensuring “the broadest possible participation” of local governments in the federal historic preservation program, to develop and maintain local preservation programs and organizations, and finally providing technical and financial support to further these purposes. When established, the program gave CLGs a share of the State Historic Preservation Officers apportionment of funds from the Historic Preservation Fund. Participation in the CLG program requires that the municipality have a historic preservation ordinance and an established commission on historic preservation that conforms to the requirements laid out by the State, the National Park Service, and any state-level agencies with an interest in historic preservation. An application must be submitted in order to gain certification as a certified local government and applicants must prove they meet the basic requirements of the program:

The CLG guidelines require due process and maximum public participation in the administration of the local historic preservation ordinance. All historic preservation commission decisions to designate individual historic sites and districts must be based upon criteria written into the local ordinance and must



afford the public the opportunity to comment on the proposed designation at an open public meeting.<sup>25</sup>”

The National Park Service has delineated five minimum requirements in order for a local entity to be certified as a CLG. These five requirements are (1) agreeing to enforce appropriate state or local legislation for the designation<sup>26</sup> and protection<sup>27</sup> of historic properties, (2) establish an adequate and qualified Historic Preservation Review Commission<sup>28</sup> by State or Local Legislation<sup>29</sup>, (3) maintain a system for surveying and inventory of properties that will further the purposes of the Act, (4) provide for adequate public participation in the local Historic Preservation Program<sup>30</sup>, and (5) satisfactorily perform the responsibilities delegated to it under the Act. It is important to note that it is the local government and not the Historic Preservation Review Commission that is being certified by these requirements. Commissions serve only as a local representative to the State Historic Preservation Officer.

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<sup>25</sup> Building Conservation Associates, INC. *Historic Preservation Plan Element of the Township Master Plan: Township of Montclair, County of Essex, State of New Jersey*, 8.

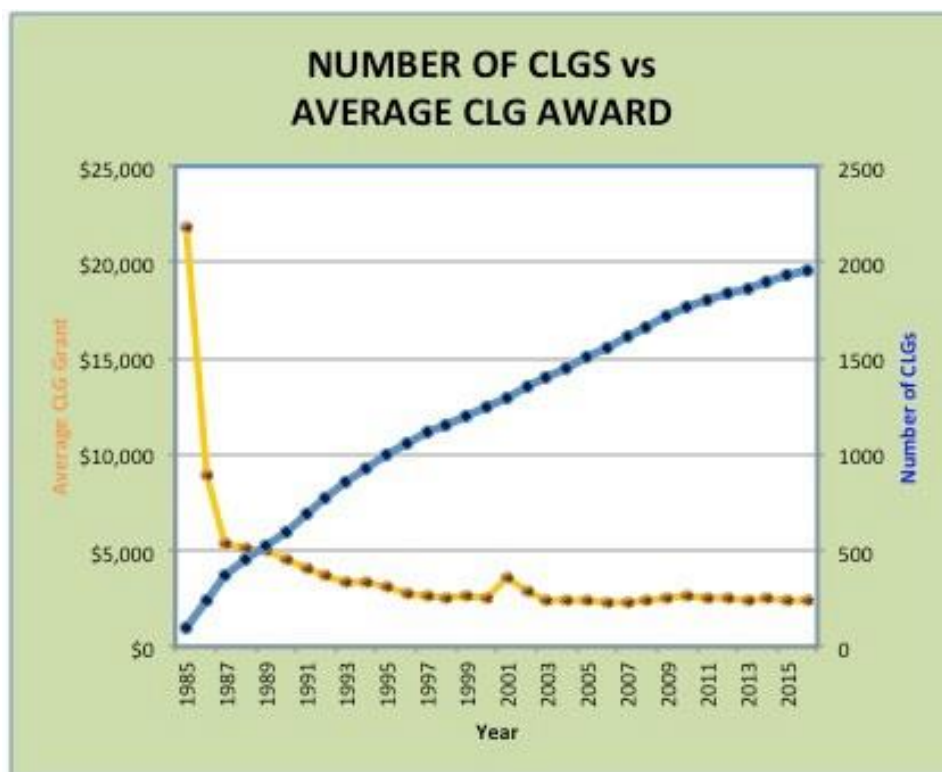
<sup>26</sup> Designation defined as “the identification and registration of properties for protection that meet criteria established by the State or the locality for significant historic and prehistoric resources within the jurisdiction of a local government.” (HPFGM 176)

<sup>27</sup> Protection defined as a local review process under State or local law for proposed demolition of, changes to, or other action that may affect historic properties designated pursuant to” a local government becoming a Certified Local Government. (HPFGM 176)

<sup>28</sup> HPRC means “means a board, council, commission, or other similar collegial body established by State or local legislation.” (HPFGM 177)

<sup>29</sup> If there is no State law exists that allows the establishment of a local commission, the State will require the local government to establish a commission by the enactment of a law, ordinance, or other official action.

<sup>30</sup> Minimum public participation requirements are set by the State.



**Figure 2: Number of CLGs versus Average Annual CLG Award (1985-2015)**

In 1992, Tribal organizations were included as eligible applicants for HPF grant money. One important factor that relates to Indian Tribes is that they are also able to participate in the CLG program if they qualify as a local government as defined in the NHPA<sup>31</sup>. In order to qualify, Tribes must have a signed agreement with the National Park Service denoting that they have a registered and approved Tribal Historic Preservation Officer responsible for protecting and conserving its significant Tribal assets and sites. THPOS began receiving funds in 1996 to assist with their preservation activities. In order to be eligible for a THPO HPF award, the tribe must have the following elements as defined by the National Park Service: (1) an approved THPO agreement with National Park Service (NPS), (2) a single,

<sup>31</sup> Defined in Section 301(3) of the Act.

appointed, permanent or acting THPO, (3) no outstanding prior HPF grant reports, problems or audit findings, (4) no outstanding reports due under the NPS/THPO agreement, and (5) no other issue that would legally bar the tribe from receiving Federal funds<sup>32</sup>. Contrary to that of Tribal Grants, federal funding for the CLG Program is not at all proportional. As mentioned previously, the dynamics of the CLG program is not proportional to the number of CLGs certified. Some states only have a few local governments while other states have over one hundred. The consequences of this is the diminishing of the percentage of state funds available to CLGs as seen above in **Figure 2**.

### **Section 3 | Apportionment of Funds**

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Now that the history of the fund has been explained, the next important aspect is the allocation of funds and how the amount that is appropriated to qualified grantees is defined. Listing in the National Register made properties eligible for matching grants-in-aid through the Historic Preservation Fund, which supports the work of State Historic Preservation Officers and eventually Tribal Historic Preservation Officers and Certified Local Governments. The federal fund is a matching grant in aid with recipients require to match a minimum of 40% using nonfederal funding options but this requirements for the HPF has been legislatively waived for Insular areas and the Micronesian States. In the fund's earlier years, the matching percentage was 50% federal and 50% non- federal, a change that was welcomed by the states. The National Park Service, under the direction of the

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<sup>32</sup> *HPF Funding Basics*, National Park Service, accessed January 4, 2018, <https://www.nps.gov/thpo/grants/index.html>

Secretary of the Interior, administers the funds and has published an in-depth grants manual with everything you would need to know about the HPF and its application processes. There are comprehensive sections on the apportionment of funds broken down by each eligible applicant or grantee.

### ***Section 3.1 | Awards to State Historic Preservation Officers***

The manual explains the allocation of funds' formula structure or what is known as the Three-Tiered Apportionment Formula. The three tiers are as follows: Tier 1 is the Base Award, Tier 2 is the Noncompetitive Factors, and Tier 3 the Preservation Initiatives and each of the three tiers are subject to change with inflation<sup>33</sup>. Tier 1 of the Three- Tier Appropriation Formula, or the Base Award, is used for appropriations up to \$20 million. Tier 2, or Noncompetitive Factors, is used for appropriations from \$20 million up to appropriations of \$50 million and Tier 3, or Preservation Initiatives, is used for appropriations higher than \$50 million. In order for Tier 3 to be activated, the NPS will allocate \$20 million to Tier 1, \$30 million to Tier 2 and the balance will be allocated to Tier 3. When breaking down the funds, the calculations change based on each tier. Tier 1 awards are divided equally between each eligible State estimating a Base Award of \$357,000 (\$20M/ ~56 States and US territories). Tier 2 is a bit more complex as the NPS allocates these funds equally, but based on three factors: Population, Area, and Historic

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<sup>33</sup> “NPS may adjust the maximum dollar amount that it allocates to Tier 1 (or to Tiers 1 and 2 combined) in response to the effects of inflation when warranted and after consultation with the President, National Conference of State Historic Preservation Officers. NPS will base its inflation calculations on the Consumer Price Index that the U.S. Department of Commerce supplies”. (HPFGM 13)

Resources. One-third of Tier 2 funds is allocated based on the State's share of the 2000 Census' population of the United States, one-third based on each State's share of the total area of the United States, and the final one-third based on each State's share of the total number of residences over 50 years old<sup>34</sup>. Tier 3 calculations are based on "predetermined competitive factors that it develops in consultation with State Historic Preservation Officers and makes known to them no later than the beginning of the fiscal year preceding that of the grant period in which the formula is to be applied."<sup>35</sup> The factors for at least half of the Tier 3 award is directly related to the capacity building of the historic preservation program as well as identification, registration, evaluation or treatment of its historic and prehistoric resources at the local level.

As mentioned previously, awards to the States are allocated using the Three Tier Appropriation Formula with Tier 1 as the Base Award, Tier 2 the Noncompetitive Factors and Tier 3 the Preservation Initiatives. Every year, the money allocated from the Historic Preservation Fund through grants-in-aid to States is published on the National Park Service's website. For 2017, apportionments to the States totaled \$26,922,000. Using the definition of States from the Historic Preservation Fund Grant Manual, a State is defined as "Any State of the United States, the District of Columbia, the Commonwealth of Puerto Rico, Guam, the Virgin Islands, American Samoa, the Commonwealth of the Northern Mariana Islands, the Republic of the Marshall Islands, the Federated States of Micronesia,

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<sup>34</sup> As defined and identified in the 2000 Census.

<sup>35</sup> HPFGM, 14.

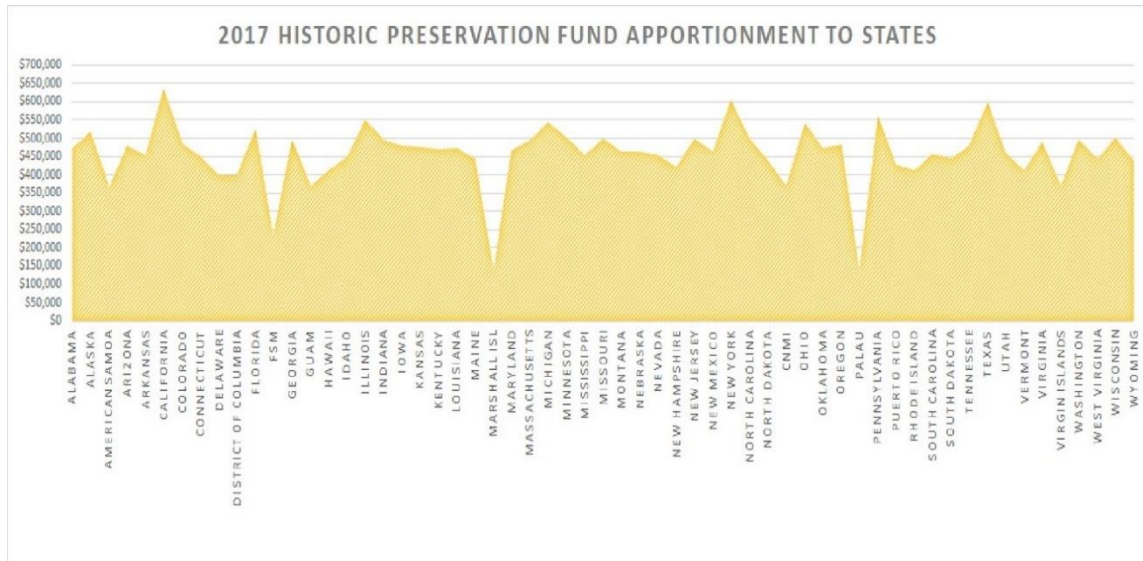
and the Republic of Palau.”<sup>36</sup> The Tier 1 base award is allocated based on an even split between all qualifying States. Because the Base Award is capped at \$20 million, and all appropriation amounts over \$20 million are referred to the Non-Competitive Factors, it is clear that Tier 2 funds were used for last years’ allocation as it is for annual awards between \$20 and \$50 million. Awards ranged from a high of \$637,163 for larger states like California and other state awards on the lower end of the spectrum barely reached \$150,000; of those being the Marshall Islands and Palau with areas and populations far smaller than that of California. The graph in **Figure 3** shows the range of amounts granted to each state with information sourced from the National Park Service’s website. Also published by the National Park Service and the Department of the Interior are the Fiscal Year (FY) Report for the Historic Preservation Fund. This Form for FY 2018 places the award to SHPOs at \$46,925,000<sup>37</sup>, a difference of around \$20 million<sup>38</sup>.

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<sup>36</sup> Ibid, 401.

<sup>37</sup> National Association of Tribal Historic Preservation Officers, *HPF-Chart-FY-2018*. (2017)

<sup>38</sup> It is possible that the award amount data from the NPS website includes only Tier 2 apportionment funds. Because Tier 1 is \$20 million divided evenly among the states, it would make sense that the NPS did not add that into the award amount. Due to the limited context of the webpage, the question could not be answered. *See Recommendations for Further Research*.



**Figure 3: Annual Apportionment to States.**

Data from <https://www.nps.gov/articles/shpo-grant-recipients-2017.htm>

Focusing on California for a moment, their State Historic Preservation Office is known as the Office of Historic Preservation (OHP) and is a division of California State Parks. After apportionment, the States are required to pay out a *minimum* of 10% of the award to Certified Local Governments in their state. California has four cities that were awarded CLG grants for 2017: Los Angeles, Riverside, Benicia, and San Francisco<sup>39</sup>. With the largest piece of the pie, I am sure the extra steps taken by California to ensure the reach of the funds. California awards their grants on a competitive basis and require a 40% match from their CLGs using any combination of supplemental funds. All four cities chosen for this year's award were granted \$40,000 and projects for use of the funds ranged from survey and inventory of

<sup>39</sup> OHP, *Certified Local Government Program*, accessed January 4, 2018, [http://ohp.parks.ca.gov/?page\\_id=21239](http://ohp.parks.ca.gov/?page_id=21239).

specific cultural resources, historic context projects, and design guidelines for a historic district plan.

### ***Section 3.2 | Awards to Certified Local Governments and Other Grantees***

As a requirement established at the creation of the Certified Local Government (CLG) Program, States are required to grant a minimum of 10% of their award from the Historic Preservation Fund to Certified Local Governments known as the *Historic Preservation Fund Pass-Through*. States are only required to provide that percentage as a minimum and any award in excess of that should remain in line with the Act and any other applicable regulations to granting money to CLGs. “If any year in which the annual HPF appropriation exceeds \$65 million, one half of the amount above \$65 million shall also be transferred to CLGs.”<sup>40</sup> All CLGs in the State are eligible for grant money through the HPF Pass Through Program, but States are not required to award all CLGs grant money. The CLG pass through grants are competitive matching grants similar to those for Tribal Historic Preservation Officers, with the exception that THPOs are not required to match funds.

As a part of the SHPO role in distributing sub grants, they must develop and maintain a set of procedures for how funds are allocated using the pass-through program. Basic requirements of the plan are: “(1) A clear rationale on which funding decisions will be based. The rationale for CLG funding may be the same as the annual SHPO sub grant funding priorities, and may cross reference the annual

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<sup>40</sup> HPFGM, 185.



announcement containing additional details, (2) Written guidelines for the review of applications and criteria for selection of applications (for example, a point rating system), and (3) Provision(s) that the funds awarded to a CLG will be sufficient to produce specific products directly as a result of the funds transferred.<sup>41</sup> Because they are competitive grants, the SHPO must ensure that all guidelines for allocation and obtainment of funds through the pass-through program are publicized so that all CLGs have the opportunity to participate. The CLG's HPF Pass-Through Program is not to be confused with a sub grant from the State Historic Preservation Officer to a CLG or other local preservation entity. In fact, one of the biggest advantages of being a CLG as far as financial assistance from the state is that HPF money used by the SHPO to administer a sub grant to a CLG is not factored into the 10% required by the HPF Pass-Through Program.

### ***Section 3.3 | Awards to Tribal Historic Preservation Officers***

Effective October 1, 2017 was the updated Grant Manual for Tribal Historic Preservation Officers receiving grants from the Historic Preservation Fund. The manual does not go into detail regarding the apportionment of funds to Native Hawaiian organizations or Indian tribes which were not immediately included as eligible applicants for fund money but the Tribal Historic Preservation Office Grant Quick Guide was created to serve as the tribal equivalent to the Historic Preservation Fund Grant Manual that focuses less on THPOs. It is mentioned that “funds from the HPF that NPS awards to Tribes to support both the THPO Grant program (open

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<sup>41</sup> HPFGM, 186.

to THPOs only) and the Tribal Heritage Grant program (open to all Federally Recognized Tribes and Native Hawaiians and Alaskans) in a single line item in the Congressional budget.”<sup>42</sup> The grant manual explains the application process as well as apportionment of funds for such organizations. From the total annual appropriation, the NPS grants \$500,000 or 5%, whichever is greater, to Tribes as project grants through the Tribal Heritage Grant program and the remaining amount is divided among the eligible THPOs to support their Historic Preservation Offices. Of that number, roughly 81% is divided equally among eligible tribes and the remaining 19% is divided based on the area of the Tribal lands<sup>43</sup>. This is the appropriation formula for grants to THPO regardless of how high and equally as low the annual appropriation of the HPF is. Funds appropriated to the HPF occupy a very small portion of the overall Congressional budget and to some, this indicates that measuring the impact of the HPF at a federal level is impossible to measure. This report will go on to assess State, Tribal and CLG awards and analyze the impact of programs implemented at each level as well as assess what a fully funded HPF would look like for each level. Will the impact increase, decrease or stay the same?

#### **Section 4 | Conversations with Preservationists: The Past, Present and Future of Fund Authorization**

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The history of the reauthorization of the Historic Preservation Fund was not always an easy task. In fact, one theme traces the history of the funds reauthorization

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<sup>42</sup> National Park Service, *Tribal Historic Preservation Office Historic Preservation Fund Grant Quick Guide*, (2018): 6.

<sup>43</sup> Ibid, 6.

and that is *underfunded*. In releases from the National Conference of State Historic Preservation Officers, the National Park Service and just about any article referencing the Historic Preservation Fund this term is used and rarely defined so I have thought of a few defining features of the underfunded HPF. At the funds inception, it took time for the funds to become available and once they were available, there was so little that some states did not spend their time applying to the new grant program. From the beginning, the Outer Continental Shelf Act and the Historic Preservation Fund's current legislative incarnation, the Conservation and Reinvestment Act both firmly rooted the authorization of \$150 million to be deposited using OCS oil lease revenues to support historic preservation in the United States, not tax money.

Ronald Reagan's Presidential Administration also played a role in the history of federal support for the Arts & Humanities and is known for its diminishing support and proposed budget cuts to spending for funds such as the National Endowment for the Arts and its partner, the National Endowment for the Humanities as well as the Institute of Museum Studies (IMS) and the subject of this report, the Historic Preservation Fund. Chairman of the NTHP, Alan Boyd wrote a letter to the Reagan administration expressing his discontent for their request of no HPF appropriation for the FY 1983. Mary Lou Grier of the NPS responded to his letter stating this:

The decision to request no fiscal year 1983 Historic Preservation Fund appropriation to states and the National Trust for Historic Preservation is a continuing effort to limit federal expenditures and restore confidence in the

nation's economy. In doing so, federal assistance to programs, such as the Historic Preservation Fund, must be curtailed<sup>44</sup>.

This response is a direct opposition of the Rian Committee's report and recommendation for more federal involvement in state and local level preservation efforts. Despite this letter, in a 1990 article in *Preservation News*, a hearing chaired by Norman Dicks was given a boost when the House Interior Committee recommended an increase in funding for the HPF. This was the first time in the fund's history that public support came directly from the executive branch<sup>45</sup>. In the same respect, but years later, President Jimmy Carter's administration offered two different justifications for the stringent apportionments. First they looked into other sources of federal funding that could support preservation by affecting the underlying economic causes of the loss of historic resources. The second justification was that the Tax Reform Act has had a positive impact on the preservation field without utilizing the direct expenditure of federal funds<sup>46</sup>. The Tax Reform Act and the NHPA should work together to support the federal preservation program and one should not be lessened when the impact of the other proves beneficial.

Spending by the National Endowment for the Arts was \$143 million for fiscal year 1982 and proposed budget cuts from the Reagan Administration would drop to \$100 million beginning October 1<sup>st</sup> of that year under the new proposal. Spending for the National Endowment for the Humanities would drop from \$136 million to \$96 million. Both funds were said to have great support among members of Congress and

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<sup>44</sup> "National Park Service Response to Boyd Letter," *Preservation News*, April 1, 1982.

<sup>45</sup> "Washington Watch: Hearings Save Preservation Bills," *Preservation News*, April 1, 1990.

<sup>46</sup> "EDITORIAL: Budget Cutting," *Preservation News*, June 1, 1980.

that the proposed cuts will not be administered. In this proposal, the Institute for Museum Studies Fund was also a proposed cut. "Mr. Reagan is expected to ask for the cancellation of already approved funds - a process called rescission, requiring assent by both the Senate and the House of Representatives - for the Institute of Museum Services. At stake is \$11.5 million in institute funds."<sup>47</sup> Grants supplementing historic preservation were facing proposed cuts left and right but just because they were proposed, does not mean that they were administered. "Another Congressional aide said that it was her understanding that the Reagan budget would call for the elimination of Federal money for the Historic Preservation Fund."<sup>48</sup> It would not have been known if the cuts were approved until the following Monday from when the article was written.

It has been said by many in Congress that President Reagan, a former actor with an interest in the arts and humanities, calls for a shift away from the use of federal involvement to a greater utilization of the private sector. This attitude towards the Arts and Humanities is shown just two years after Reagan is proposing cuts to the arts. In fact, a complete 180 is performed and the Reagan Administration proposes more funding for the National Endowment for the Arts and Humanities than ever before so the threat of loss of funds did not last very long; not for the two funds mentioned and the Institute of Museum Studies. In 1984, it proposed \$125 million for the National Endowment of the Arts and Congress approved \$162

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<sup>47</sup> Irvin Molotsky, "Reagan Expected to Cut Spending for the Arts," *New York Times*, February 3, 1982, 19.

<sup>48</sup> *Ibid*, 19.

million with the 1985 budget requesting \$143 million. For its partner fund, The National Endowment for the Humanities, the Administration proposed only \$112 million while Congress approved \$140 million and the 1985 budget requested \$126 million.

“The Administration is reported to be planning to ask for \$14 million for the IMS. This compares with the \$11 million sought last year and the \$20 million actually approved by Congress. The Administration is reported to be planning to ask for no funds at all for the HPF, just as it did last year, when Congress approved \$26.5 million.”<sup>49</sup> William J. Bennett, chairman of the National Endowment for the Humanities at that time was very pleased by the popular reception (in Congress) given to a summer program of seminars and funding is expected to be used for the expansion of the program ran by the NEH. For seven consecutive years the Reagan administration proposed zero funding for the HPF. The constant influx in the amount approved by Congress despite proposed cuts and raises in expenditures for the Arts and Humanities began to show the Reagan Administration that Congress had an interest in the arts and historic preservation was on its way to becoming a national movement with a strong political constituency in place that would ensure its reauthorization throughout the years.

The victory of having funds authorized despite the proposal to deauthorize the fund was not one that reassured leaders in the preservation field. J. Jackson Walter was President of the National Trust during this time and in the March 1988

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<sup>49</sup> Irvin Molotsky, “Reagan Budget to Seek More Funds for the Arts,” *New York Times*, January 29, 1984, 36.

edition in *Preservation News* he makes it clear that although Congress has ignored the administration's proposals for the past few years, he was not going to take for granted the fact that at any moment Congress could reverse the request. He calls out all preservationists and allies of the field stating that everyone must work together in order to make a case for the HPF and states that the fund is "essential to the vitality of the nation's preservation program."<sup>50</sup> At the same time, Eric Hertfelder (director of the NCSHPO) describes the Presidential budget proposal as a "painful yearly ritual"; one that disrupts the flow of preservation work due to its inconsistencies of the federal government's commitment to funding and the possibility of the fund's extinction.

According to Jannelle Warren-Findley's Notes on the 504 Report<sup>51</sup>, a report set to review the Historic Preservation Fund and the national historic preservation program since its 1980 amendments, the Historic Preservation Fund was set to expire in 1987. There is no mention of whether this is related to the amendments authorization stretching from 1982 to 1987, or some other insight that is not divulged. Warren-Findley's notes on the report also capture the essence of the 1980 amendments to the act and the role that the Historic Preservation Fund is intended to make directly from the position of the Secretary of the Interior:

"The real thrust of the report, however, is to argue for the decentralization of much of the historic preservation program and then to justify limiting federal funds for what would become nonfederal programs. The Secretary of the Interior takes the position that the infrastructure for preservation programs is

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<sup>50</sup> "Budget Rerun- Reagan Again Axes Preservation," *Preservation News*, March 1, 1988.

<sup>51</sup> "The 504 Report" is the common name for Section 504 of the National Historic Preservation Act of 1966 requiring the Secretary of the Interior to review the federal historic preservation program.

now in place and that the role of the federal government in the process of implementing the National Historic Preservation Act over the last twenty years was to provide the money for building that scaffold.”<sup>52</sup>

It was understood that during the time when the legal framework for the field of preservation was being solidified, the process would not be completely done until sufficient funding was in place. The National Conference for State Historic Preservation Officers also posted comments on the 504 Report stating that they believed the HPF to be a “temporary” incentive to encourage state and local involvement in the federal preservation program and that once state involvement had matured, the fiscal backing of the federal government would disappear. Despite setbacks such as the proposed Congressional budget cuts during the Reagan Administration and the fear that the HPF was only a ‘start-up program’, there was noticeably a strong backing for the HPF that came in the form of its continued reauthorization.

The Conservation and Reinvestment Act (CARA), as amended in 1999-2001, established the Conservation and Reinvestment Fund Act (CRAF) that requires the Secretary of the Treasury to deposit into CRAF certain Outer Continental Shelf Revenues; included in this is the HPF. It also requires that Governors of each State, as a condition of receiving amounts from the CRAF to report each year to the Secretaries of the Interior, Agriculture, or Commerce as appropriate, accounting for

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<sup>52</sup> Jannelle Warren-Findley, “Notes on the 504 Report and the Future of History in the Federal Preservation Program,” *The Public Historian* 9 No. 2 (1987): 115, <https://doi.org/10.2307/3377334>



amounts received for the previous fiscal year<sup>53</sup>, including the funded projects and activities in a similar fashion as the NPS's review of State Historic Preservation Officers and their HPF monies to ensure the Secretary of the Interior's Standards and those of the Act are being upheld. CARA passed in the House of Representatives by a 3:1 margin and President Bill Clinton publicly supported the legislation. His public support was not enough as his administration and Congress abandoned the act in a deal made at the end of the 106<sup>th</sup> Congress<sup>54</sup>. The act would have provided \$100 million annually to the Historic Preservation Fund. Another President in support of CARA was George Bush. During his time as Governor of Texas, he also publicly supported the act and used that as a foundation to advocate the need for conservation funding. The Bush Administration called for full funding of the Water and Land Conservation Fund but not the HPF and although the reason for this is unclear, the Water and Land Conservation Fund is an enhancement fund that can be used for historic preservation activities.

Earlier, it was mentioned that funds allocated to the HPF occupied only a small portion of the overall federal budget its impact would have to be assessed on a smaller scale to address this fact. This point is really driven home by the way in which the fund has been reauthorized throughout the years. With the 1980 amendments to the Act, in my opinion, being the most productive and influential

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<sup>53</sup> Summary: H.R. 701- 106TH Congress - Conservation and Reinvestment Act (1999-2001) reported to Senate with amendment(s), <https://www.congress.gov/bill/106th-congress/house-bill/701>.

<sup>54</sup> Information on the details of the deal are not public record.

amendments, it makes the years following an important time to assess the impact and what the new changes meant for the federal preservation program moving forward. The American Association for State and Local History posted to the periodical *History News* detailing the old laws from the original Historic Preservation Act of 1966 and the new laws brought on with the 1980 amendments. For the Historic Preservation Fund, it highlighted the professionalization of the State Historic Preservation Officer as well as the involvement of CLGs in local preservation. The core change from the old law to the new law is highlighted below and regards the authorization amount of the Historic Preservation Fund: “OLD LAW: Authorizes \$24.4 million for FY 1977, \$100 million for FY 1978 and 1979, and \$150 million for FY 1980 and 1981. NEW LAW: Authorizes \$150 million annually for FY 1982 through 1987.”<sup>55</sup> Not only does this show that the fund was not always authorized at \$150 million, a mere amount for the entire field of historic preservation when compared to other funds mentioned earlier (like NEA and NEH), it also shows that negotiation was conducted in order for the authorization amount to have changed over the years leading up to the amendments. If this has been the case in the past, what can be done now to create a larger authorization for the fund as the field continuously grows.

## **Section 5 | Conclusion: Impact Assessment & What a Fully Funded HPF Would Look Like**

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The field of historic preservation has shifted from a focus on monuments at its inception to one more focused on geographic areas like historic or conservation

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<sup>55</sup> “What the Heritage Bill Means.” *History News* 36 No. 3 (1981): 14–15.

districts, historic cores and heritage areas. The next phase of change should move towards neighborhoods and communities giving more control to local governments where the proximity to those affected is closer and more manicured to suit the needs of the community and its constituents. When relating these changes to the Historic Preservation Fund, the funds are allocated locally for federal uses and that is a disconnect that could be solved with a fully appropriated fund. Giving more power to local governments for uses of the money towards more preservation education and bricks and mortar projects so when it comes time to answer what the impact of the Historic Preservation Fund has been, these shifts should can analyzed and projected.

After the Carter and Reagan administration challenged the solidity of the HPF, local preservationists and government officials rallied for the continued authorization and increased appropriation of the fund. National preservation periodicals posted weekly and monthly articles urging constituents to write their local legislators requesting continuation of the HPF. the NCSHPO issued a study showing that sufficient federal money is necessary in order to adequately run a state or local historic preservation program. In the early years of the fund, when demand was high and appropriations were low, some states had to decrease their staff due to limited budgets to pay them. When speaking with Cory Kegerise of the Pennsylvania SHPO late last year, he informed me that at the local level and depending on the size of the state office, HPF monies were used to pay the salaries of staffers that conducted the activities eligible for HPF grants and subgrants.

Knowing that the federal government is looking to decrease state and local reliance on federal funding for preservation activities, the challenge of a fully appropriated HPF seems out of reach. Throughout history, leaders in the field of preservation and allies in Congress and the House of Representatives has shown that coordinated efforts of support and lobbying are an effective way to ensure the funds survival. Full funding for the HPF could include more money for bricks and mortar projects and sufficient staffing levels for SHPOs, THPOs, and CLGs. With bricks-and-mortar projects being the most visible use of HPF money, the increase in funding would bring more awareness to the work conducted by grantees and sub grantees of the fund and in turn lead to more public support of historic preservation.

The Tennessee Historical Society, the states SHPO, was awarded a HPF grant in 1993 to study the development of areas in the Upper Cumberland Region. The study was conducted to provide needed information and analysis on the development area so that further historic resources and areas could be identified. A decade later, in 2014, the city of Louisville, CO conducted a series of events for fourth graders that included a tour through their Main Street and a visit to a recent adaptive reuse project. During the visit to the adaptive reuse project they used historic photos to analyze the changes in building materials and use of the building over time. The students then shared their ideas for the future of the site. These events were funded by the HPF and aided in the shaping of our youth's appreciation for historic resources. the States SHPO, THPO, and CLG partnered together to breed the next generation of preservationists. A victory that is directly in line with the

fund's founding purpose of supporting and furthering national, state and local preservation activity for generations to come; thus ensuring the success and sustainability of the federal program.

## **Section 6 | Recommendations for Further Research**

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This section is intended to highlight questions that arose during the research process that were out of the scope of my research period. These questions are intended to be used to support or deny the claim that a little goes a long way with regards to the Historic Preservation Fund's impact on the field of preservation. Whether that be on a national, state or local scale is in the hands of the researcher.

### Authorization Amount

How was the authorization amount determined? What brought on the change in the 1980 amendments that "solidified" the amount at \$150 million and who is responsible for making those decisions? Reading about the Outer Continental Shelf Act and the Conservation and Reinvestment Acts, there is no clear mention of the HPF, only parties that are used to infer the HPF is the subject of the funds regulated. Because the fund does not use tax monies, what are the threats facing the continued reauthorization? Is it in perpetuity?

### Apportionments

My biggest question and recommendation regarding apportionments relates to the Three-Tiered Appropriation Formula. I understand the breakdown as the HPF Grant Manual is very thorough but what I do not understand is how it works. Are the tiers

stepping stones for one another or do they act independently, yet in a tiered way, to accommodate awards falling within the range of each tier?

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